

MEMORANDUM FOR: Director of Central Intelligence
SUBJECT: Career Service Legislation

13 JAN 1964

1. PROBLEM

To determine the need for legislation in order to strengthen and further develop the personnel administration of the Central Intelligence Agency.

2. FACTS BEARING ON THE PROBLEM

a. The CIA Career Service Board established a Legislative Task Force in June 1953 in order to consider the need for legislation appropriate to providing a solid foundation for a Career Service.

b. The Task Force reached the conclusion - and the Board approved - that the disadvantages of a legislatively established CIA career intelligence service outweigh the advantages. As a consequence, it submitted recommendations for specific improvements which would strengthen personnel administration in the Agency, and would preserve the continuity of service of skilled and experienced intelligence personnel. The proposals do not provide, however, for an intelligence service legally established as are the Foreign Service and the Public Health Service.

c. Tabs A through I contain the details of the recommendations for the legislation or administrative action advocated by the Legislative Task Force and approved by the Career Service Board. The following is a brief summary of these proposals:

(1) Tab A. Limited medical benefits for dependents of CIA employees abroad are recommended. The proposal also includes extension of the medical benefits provided by section 5(a)(5)(A) and (C) of P. L. 110 to employees who are temporarily assigned abroad, and the concept of "abroad" is expanded to include territories and possessions. Legislation is required.

(2) Tab B. A death gratuity of \$1000 to a dependent relative of a CIA employee in the event of his death is recommended. This sum would be in addition to any other death benefits and is deemed desirable in order to offset delays of internal processing which, in many cases, is due to security considerations. Legislation is required.

(3) Tab C. An allowance is recommended to defray partially the excess costs of securing education for dependent children of employees while stationed overseas. A standard of education comparable

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to that obtainable in the Washington area is proposed. Legislation is required.

(4) Tab D. Liberalization of the age and service credit requirements for civil service retirement is recommended. Liberalized credits would be granted employees for periods of overseas service only, and the plan would be somewhat less liberal than the special retirement provisions currently applicable to Foreign Service employees and criminal investigative personnel. Legislation is required.

(5) Tab E. Exemption of the CIA from the provisions of the Performance Rating Act of 1950 is recommended. The procedural requirements for compliance with the Act entail external review and inspection which are prejudicial to the accomplishment of the Agency's mission and are incompatible with Agency policies for protecting intelligence sources and methods. Legislation is required.

(6) Tab F. Extension of the statutory home leave benefits of Foreign Service personnel to employees in the CIA is recommended. Agency leave following overseas assignment permits the payment of travel to the place of residence of eligible employees but such personnel must use accrued annual leave for this purpose. This circumstance presents hardship and morale problems for overseas personnel who, under the graduated leave system, must save most of their annual leave for Agency "home leave" after the completion of their overseas tour of duty. Provision of the statutory leave benefits of the Foreign Service (i.e., 1 week for each 4 months of overseas service) is considered essential to the solution of these problems. Legislation is required.

(7) Tab G. Permanent Missing Persons Legislation is recommended due to the continuing need of the Agency for the authorities now provided in the Missing Persons Act (P. L. 490, 77th Congress). Immediate legislation is considered essential in view of the expiration of the current Act of 1 February 1954.

(8) Tab H. An analysis is made of the need for additional legislation with respect to the job security of career employees and to the conduct of necessary reductions in force. It is concluded that Agency Regulations governing separations are adequate for all types of separation except an extensive reduction in force and do not require additional legislation for effective implementation. It is not felt desirable to modify by legislation the powers granted to the Director in P. L. 110 with respect to summary termination of Agency personnel in the interests of the United States.

(9) Tab I. A civilian personnel reserve program is considered desirable in order to insure effective augmentation of the Agency during periods of national emergency. The major problem of

establishing a CIA reserve is to conclude an agreement with the military services for deferment of Agency reservists during an emergency. No legislation is required.

3. DISCUSSION

a. The proposals referred to in 2c above are considered desirable and necessary. However, various problems may be encountered in securing Congressional approval of those proposals which require legislation. Consideration should be given to the relative advantages of submitting the legislative recommendations in an omnibus bill versus submitting the elements separately at such times as are most conducive to their enactment. In this connection, discussions might profitably be held by the Director with the Chairman of the House and Senate Armed Services Committees, the Director of the Bureau of the Budget, the National Security Council, et al. The CIA Career Service Board is also aware that certain proposals are affected by Government-wide developments, for example, retirement, educational allowances, and missing persons legislation, whereas others are of concern only to this Agency.

b. Special liaison problems in securing Congressional approval of the recommendations for legislation are outlined in the memorandum of the Legislative Counsel (Tab K).

4. CONCLUSIONS

a. Tabs A through I should be approved.

b. The Agency should seek the legislation required to effect the proposals in Tabs A through G.

c. The Director of Central Intelligence should determine whether it is preferable to obtain the required legislation through the submission of the proposed legislation in Tab J in its present omnibus form or in the form of separate bills.

d. The Director should discuss the problems of establishing a CIA reserve with the National Security Council and the Secretary of Defense (Tab I).

5. RECOMMENDATIONS

It is recommended that the above conclusions be approved.

LYMAN B. KIRKPATRICK
Chairman
CIA Career Service Board

Attachments - See Table of Contents

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ACTION BY APPROVING AUTHORITY:

APPROVED:

Date: _____

Allen W. Dulles
Director of Central Intelligence

Originator: _____
Executive Secretary
CIA Career Service Board